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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/237,125	01/26/1999	MUNIRATHNA PADMANABAN	1997/A006	9591

25255 7590 01/29/2004

CLARIANT CORPORATION  
INTELLECTUAL PROPERTY DEPARTMENT  
4000 MONROE ROAD  
CHARLOTTE, NC 28205

EXAMINER

ASHTON, ROSEMARY E

ART UNIT PAPER NUMBER

1752

DATE MAILED: 01/29/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/237,125

Applicant(s)

PADMANABAN ET AL.

Examiner

Rosemary E. Ashton

Art Unit

1752

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 25 October 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-4, 6, 8, 9, 11, 12, 14, 16, 18-20, 22-26, 28 and 30-37 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-4, 6, 8, 9, 11, 12, 14, 16, 22-26, 28 and 30-37 is/are allowed.
- 6) ☒ Claim(s) 18-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. §§ 119 and 120

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☒ None of:  
1. ☒ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.  
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

## Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_ 6) ☐ Other:

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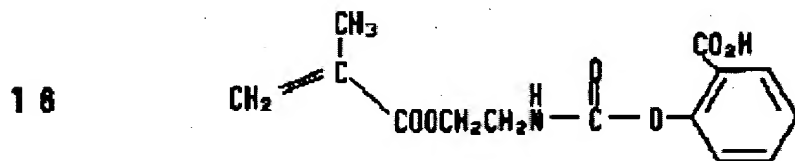
**DETAILED ACTION*****Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

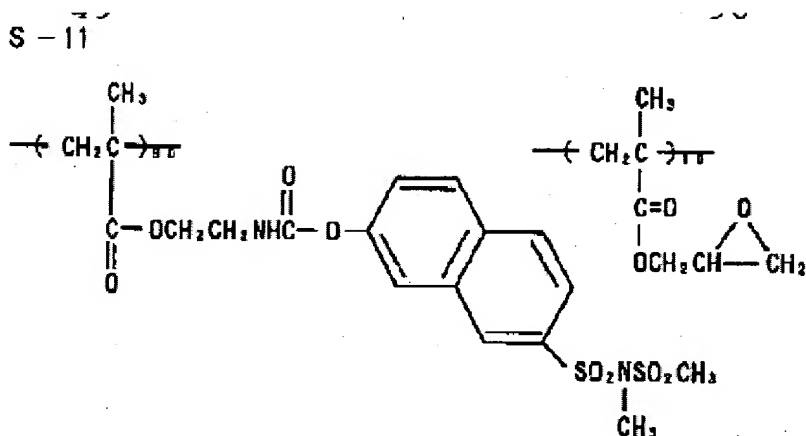
(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claim 18 is rejected under 35 U.S.C. 102(b) as being anticipated by Kawamura JP '185 cited in paragraph 11 of paper no. 14. A polymer of compound 16 shown below meets the limitations of claim 18 in that m,n,p,q are 0 and o > 0 wherein R1 is an ethylene group, X and Y are O and D is a substituted benzene ring.

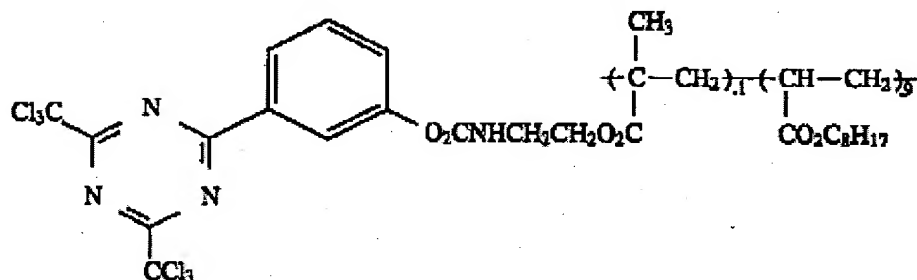


3. Claims 18,20 are rejected under 35 U.S.C. 102(b) as being anticipated by Kawamura JP '242 cited in paragraph 13 of paper no. 14. A polymer of compound S-11 shown below meets the limitations of claim 18 in that m,p,q are 0 and o,n > 0 wherein R1 is an ethylene group, X and Y are O and D is a substituted naphthalene ring.

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4. Claim 18 is rejected under 35 U.S.C. 102(b) as being anticipated by Bonham cited in paragraph 8 of paper no. 14. A polymer of Example 23 shown below meets the limitations of claim 18 in that m,p,q are 0 and o,n > 0 wherein R1 is an ethylene group, X and Y are O and D is a substituted benzene ring.



5. Claim 18 is rejected under 35 U.S.C. 102(b) as being anticipated by Foss et al U.S. patent no. 5,266,651. Polymers of isocyanatoethyl methacrylate (ICEM) and methyl methacrylate (MMA) are shown in examples C1-C4 in Table I-A-1 in col. 13. The isocyanatoethyl methacrylate monomer, shown below, meets the limitations of monomer m in claim 18 in that o,p,q are 0 and m,n > 0 wherein R1 is an ethylene group, X is O and R2 is COOR6 with R6 a methyl group.

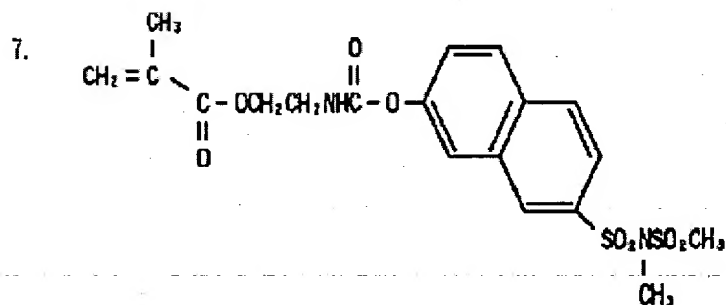
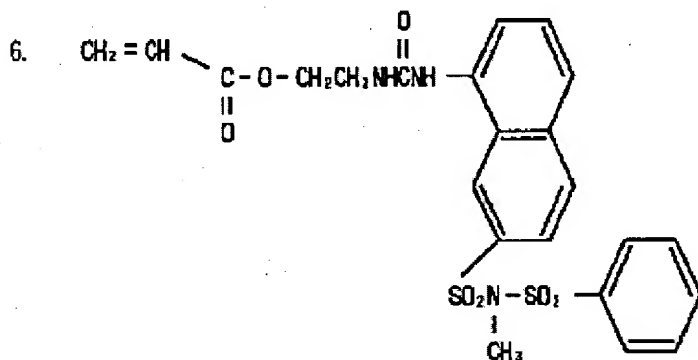


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6. Claim 19 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kawamura JP '242 cited in paragraph 13 of paper no. 14.

As shown above Kawamura teaches a polymer for a photosensitive composition comprising a monomer 7 shown below that meets the limitations of claim 18. Kawamura also teaches monomer 6 below which meets the limitations of claim 19, however, the patent does not exemplify the monomer in a polymer.

It would have been obvious to one of ordinary skill in the art to use monomer 6 in a polymer such as S-11 above with a reasonable expectation of obtaining a polymer for a photosensitive composition because Kawamura teaches the monomers are equivalent in the invention.



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***Allowable Subject Matter***

7. Claims 1-4,6,8,9,11,12,14,16,22-26,28,30-37 are allowed.

The following is an examiner's statement of reasons for allowance: The prior art does not teach an ARC or radiation sensitive composition having the claimed reagents.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rosemary E. Ashton whose telephone number is 571-272-1326. The examiner works a flexible work schedule and can normally be reached M-F between 10:00 am – 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mark Huff can be reached at 571-272-1385.

The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.



Rosemary E. Ashton  
Primary Examiner  
Art Unit 1752

rea  
January 25, 2004

ROSEMARY ASHTON  
PRIMARY EXAMINER